

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1, 7 and 13 have been amended. Claims 22 and 25 have been cancelled. Claim 24 has been withdrawn. Claims 1-4, 7-19 and 23 are pending and under consideration.

CLAIM REJECTIONS

Claims 1-4, 7-19, 22, 23 and 25 were rejected under 35 USC 103(a) as being unpatentable over Hedenberg (US 5,947,009) (hereinafter "Hedenberg") in view of Miller (US 4,523,407) (hereinafter "Miller").

Claims 1-4 and 23

Amended claim 1 recites: "...a baking tray placed inside the oven and formed with a profile groove having a rectangular cross section..." Support for this amendment may be found in at least paragraph [0029] of the specification.

As noted in the Office Action, Hedenberg shows in Figure 3 a profile groove but does not discuss a profile groove in the specification. In contrast to claim 1, it appears that the profile groove in Hedenberg has a circular cross section. The Office Action then relies on Miller to show a peripheral groove 14 having a rectangular cross section for supporting a cylindrical gasket 20. However, it is respectfully submitted that the circular gasket 20 and circumferential confronting flanges 19 of Miller do not render obvious the breakaway-prevention protrusions of claim 1. In claim 1, the breakaway-prevention protrusions are arranged lengthwise, not circumferentially, and further are formed in a plurality to retain a plurality of profiles. Further, it is respectfully submitted that Miller is non-analogous art to the present invention and the primary reference and therefore is disqualified as prior art for the purpose of an obviousness rejection under 35 USC 103. The present invention and Hedenberg relate to bread machines. Miller relates to a hatch cover, presumably on a ship.

Claims 2-4 and 23 depend on claim 1 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

Claims 7-19

Amended claim 7 recites: "...a baking tray placed in the main body and having a profile groove having a rectangular cross section..." Support for this amendment may be found in at least paragraph [0032] of the specification.

As noted in the Office Action, Hedenberg shows in Figure 3 a profile groove but does not discuss a profile groove in the specification. In contrast to claim 7, it appears that the profile groove in Hedenberg has a circular cross section. The Office Action then relies on Miller to show a peripheral groove 14 having a rectangular cross section for supporting a cylindrical gasket 20. However, it is respectfully submitted that the circular gasket 20 and circumferential confronting flanges 19 of Miller do not render obvious the breakaway-prevention protrusions of claim 7. In claim 7, the breakaway-prevention protrusions are arranged lengthwise, not circumferentially, and further are formed in a plurality to retain a plurality of profiles. Further, it is respectfully submitted that Miller is non-analogous art to the present invention and the primary reference and therefore is disqualified as prior art for the purpose of an obviousness rejection under 35 USC 103. The present invention and Hedenberg relate to bread machines. Miller relates to a hatch cover, presumably on a ship.

Claim 13 was amended to correct a typographical error. Specifically, the comma ending claim 13 was replaced with a period. Claims 8-19 depend on claim 7 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

Claims 22 and 25

Claims 22 and 25 have been cancelled.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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